

East Alabama Regional Planning &  
Development Commission

Areawide Community Transportation System

Title VI Policy Statement  
Limited English Proficiency Plan

P. O. Box 2186  
1130 Quintard Avenue Suite 300  
Anniston, AL 36202

*Adopted: May 28, 2014*

Areawide Community Transportation System  
Title VI Policy Statement

Introduction

The Areawide Community Transportation System (ACTS) is a 49 U.S.C. 5307 small urban, under 200,000 population area, fixed-route and ADA Paratransit program operated in the cities of Anniston, Oxford, Weaver, Jacksonville, and Hobson City, Alabama. There is also a public demand response program for the urbanized unincorporated areas of Calhoun County. In addition, the program encompasses a non-urbanized 49 U.S.C. 5311 program in Calhoun, Cherokee, Clay, Cleburne, Coosa, and Talladega Counties. There is also a Job Access/Reverse Commute, 49 U.S.C. 5316, program in Talladega County. The East Alabama Regional Planning and Development Commission (EARPDC) is the sub-recipient of federal funds (Section 5307, 5311, 5316) through the Alabama Department of Transportation Modal Programs. Local governments match federal funds (the State Department of Human Resources matches Section 5316 funds) for administration, operations, preventative maintenance, vehicles, and non-vehicle capital. EARPDC and the ACTS in accordance with the United States Department of Transportation Title VI regulations (49 CFR Part 21) operate its program without regard to race, color, or national origin (Federal Transit Administration (FTA) Circular 4702.1B).

Title VI is a section of the Civil Rights Act of 1964 requiring that “No person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits or, or be subjected to discrimination under any activity receiving federal assistance.” (42 U.S.C. Section 200d)

This Plan was developed using a systematic approach to FTA Circular 4702.1B guidelines. This Plan recognizes ACTS must identify a single point of contact to implement and manage its commitment of assurance to the Title VI program. The ACTS has delegated the duties and role of Title VI Coordinator to:

Shane Christian  
Project Administrator  
P. O. Box 2186  
1130 Quintard Avenue Suite 300  
Anniston, AL 36202  
256-237-6741  
Fax: 256-237-6763  
shane.christian@earpdc.org  
Alabama Relay: 711 or 1-800-548-2547  
Spanish to Spanish: 1-800-548-8317  
Spanish to English: 1-800-548-8317  
Voice to CapTel: 1-877-243-2823  
Tele Braille to Voice: 711 or 1-800-877-8973  
TTY to Voice: 711 or 1-800-548-2546

## Complaint Process

### Title VI Complaint Procedures

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the East Alabama Regional Planning and Development Commission (EARPDC) may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. The EARPDC investigates complaints received no more than 180 days after the alleged incident. The EARPDC will process complaints that are complete.

Once the complaint is received, the EARPDC will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

The EARPDC has 15 business days to investigate the complaint. If more information is needed to resolve the case, the EARPDC may contact the complainant. The complainant has 15 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 15 business days, the EARPDC can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

In a situation where the complainant is unable or incapable of providing a written complaint, a verbal complaint of discrimination may be made to the EARPDC. Under these circumstances, the complainant will be interviewed and the EARPDC will assist the complainant in converting the verbal allegations to a formal, written complaint.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member or other action will occur. If the complainant wishes to appeal the decision, she/he has 30 days after the date of the letter or the LOF to do so.

If the complainant is not satisfied with actions taken locally or if they demand further action, these unresolved complaints will be referred to Mr. Joe Nix, Alabama Department of Transportation, Modal Programs Bureau, 1100 John Overton Drive, Montgomery, Alabama 36110

A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

\*\*If information is needed in another language, then contact 256-237-6741.

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The following will be posted on vehicles:

**East Alabama Regional Planning and Development Commission  
Title VI Notice to Public**

The East Alabama Regional Planning and Development Commission (EARPDC) hereby gives public notice of its policy to uphold and assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and all related statutes. Title VI and related statutes prohibiting discrimination in Federally assisted programs require that no person in the United States of America shall, on the grounds of race, color, national origin, sex, age, or disability be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice regarding EARPDC's programs has a right to file a formal complaint with EARPDC. Any such complaint must be in writing and submitted to EARPDC's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged occurrence. For more information regarding civil rights complaints, please contact:

**Shane Christian  
Project Administrator  
East Alabama Regional Planning and Development Commission  
1130 Quintard Avenue Suite 300  
P.O. Box 2186  
Anniston, AL 36202  
256-237-6741  
256-237-6763 (fax)  
earpdc@adss.alabama.gov  
www.earpdc.gov**

Title VI Assurances

The East Alabama Regional Planning and Development Commission fill this requirement by submitting its annual Title VI assurance as part of its annual Certification and Assurance submission to the Alabama Department of Transportation.

List of Transit Related Title VI Investigations, Complaints, and Lawsuits

The ACTS transit program shall maintain a log of Title VI complaints received. The log shall include the date the complaint was filed, a summary of the allegation, the status of the complaint, and actions taken in response of the complaint.

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status Pending or Closed	Action(s) Taken
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

Since the submission of the last Title VI Program information to ALDOT, there have been no Title VI investigations, complaints, or lawsuits received by the EARPDC related to transit.

## Complaint Form

### **TITLE VI COMPLAINT FORM**

The form provided below is offered as an aid to any individual wishing to file a Title VI complaint (or any other complaint) with/against this agency.

Complaints must be submitted in writing. This form will aid the complainant in collecting and presenting the data necessary for a full and complete investigation of the issue presented. Use of this form is not mandatory. The complainant may choose to present their complaint as a letter or memorandum. Should the complainant elect that option, it is requested that as much of the data as possible requested in the attached form be provided in the letter so that this agency may conduct a full and complete investigation. If additional information is requested by EARPDC and that information is not received by EARPDC, the complaint may be dismissed.

Date Received: \_\_\_\_\_

Received By: \_\_\_\_\_

<b>Section I:</b>			
Name:			
Address:			
Telephone (Home):		Telephone (Work):	
Electronic Mail Address:			
Accessible Format Requirements?	Large Print		Audio Tape
	TDD		Other
<b>Section II:</b>			
Are you filing this complaint on your own behalf?		Yes*	No
*If you answered "yes" to this question, go to Section III.			
If not, please supply the name and relationship of the person for whom you are filing this complaint:			
Please explain why you have filed for a third party:			
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.		Yes	No
<b>Section III:</b>			
I believe the discrimination I experienced was based on (check all that apply):			
[ ] Race                      [ ] Color                      [ ] National Origin			
Date of Alleged Discrimination (Month, Day, Year): _____			
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form or attach additional sheets.			
_____			
_____			
_____			
_____			
_____			
<b>Section IV:</b>			
Have you previously filed a Title VI complaint with this agency?		Yes	No

<b>Section V:</b>	
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, check all that apply:	
<input type="checkbox"/> Federal Agency: _____	
<input type="checkbox"/> Federal Court _____	<input type="checkbox"/> State Agency _____
<input type="checkbox"/> State Court _____	<input type="checkbox"/> Local Agency _____
Please provide information about a contact person at the agency/court where the complaint was filed.	
Name:	
Title:	
Agency:	
Address:	
Telephone:	
<b>Section VI:</b>	
Name of agency complaint is against:	
Contact person:	
Title:	
Telephone number:	

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

Please submit this form in person at the address below, or mail this form to:

Shane Christian  
Project Administrator  
EARPDC  
P. O. Box 2186  
Anniston, AL 36202

If you are alleging that you have been discriminated against by the individual listed above then you may submit this form to:

James W. Curtis  
Executive Director  
EARPDC  
P. O. Box 2186  
Anniston, AL 36202

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### Subcontracts

All transit subcontracts which receive federal funds are subject to the provision of the Title VI of the Civil Rights Act of 1964 as amended. Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

### Monitoring Subrecipients for Compliance

The ACTS staff periodically reviews the Title VI programs of its subrecipients and works cooperatively to update the programs. Updates or other modifications may be necessary for several reasons including new implementation requirements issued by the FTA or ALDOT.

Training, workshops, and other technical assistance will be provided by the East Alabama Regional Planning and Development Commission

Additionally, the ACTS staff may conduct on-site visits of subrecipients as needed or subsequent to the filing of a Title VI complaint. In the event of a subrecipient's noncompliance, the ACTS may impose sanctions such as the withholding of payments and/or the cancellation, termination, or suspension of a project agreement.

The ACTS staff shall assist all sub-recipients in complying with DOT's Title VI regulations, including the general reporting requirements. The following information shall be provided to the sub-recipients;

- Sample notices to the public informing beneficiaries of their rights under DOT’s Title VI regulations, procedures on how to file a Title VI complaint, and the Title VI complaint form.
- Sample procedures for tracking and investigating Title VI complaints filed with sub-recipient, and when EARPDC expects the sub-recipient to notify them of complaints received.
- Demographic information on the race and English proficiency of residents served by the sub-recipient. This information will assist the sub-recipient in assessing the level and quality of service it provides to communities and assessing the need for language assistance.
- Any other recipient-generated or obtained data, such as travel patterns, surveys, etc., that will assist sub-recipients in complying with Title VI.

### Record Keeping

The Title VI Coordinator will maintain records, which include, but are not limited to, copies of the Title VI complaints or lawsuits and related documentation, records of correspondence to and from complainants, and Title VI investigations.

### Community Outreach

The ACTS encourages input from the public. In addition to annual public hearings for the Section 5307, 5311, and 5316 grant applications, there are monthly Transit Advisory Board meeting which are opened to the public, announced on the display board at 1130 Quintard Avenue Suite 300 Anniston, Alabama 36201, quarterly Transportation Steering Committee meetings, monthly Metropolitan Planning Organization meetings, both opened to the public, and the availability of EARPDC staff during business hours to discuss any matter of the transit program. The Board of Directors of the EARPDC meets once a month, the 4<sup>th</sup> Wednesday of the month unless otherwise noted, January through September. All meetings are on the EARPDC website, [www.earpdc.org](http://www.earpdc.org), under “Upcoming Events” on the home page. Comments from the public are welcome in any form – by phone, fax, email, in person or an informal letter. As technology advances, ACTS is ever increasing the manner in which the public may become more involved in the transit program. The Transit Advisory Board is made up of appointed individuals from participating local governments, an EARPDC appointment and a United Way appointment. The EARPDC Board of Directors is made up of elected offices who are members by default of elected office. There are also several citizen appointees.

Body	Caucasian	Latino	African American	Asian American	Native American	Native Hawaiian and Pacific Islander
Population of Region	74.5%	2.7%	21.8%	0.5%	0.4%	0.1%
Board of Directors	92.8%	0.0%	7.2%	0.0%	0.0%	0.0%
Population of Calhoun County	74.9%	3.3%	20.6%	0.7%	0.5%	0.1%
Transit Advisory Board	62.5%	0.0%	37.5%	0.0%	0.0%	0.0%
Metropolitan Planning Organization	64.3%	0.0%	35.7%	0.0%	0.0%	0.0%

#### System Wide Service Standard and Policy

FTA Circular 4702.1B Chapter IV-4 requires system wide service policies to ensure service design and operations practices do not result in discrimination on the basis of race, color, or national origin. The ACTS fixed route is designed to ensure the maximum service to both minority and low-income persons. Routes are designed to go into residential areas, including public housing, and to include destinations such as medical services areas, shopping areas, near service industries, the county Department of Human Resources, Social Security Office, and Employment/Unemployment/Career Center. It is the policy of EARPDC and the ACTS to best design a transit program to meet the needs of the public who may most be in need of transit services, and to ensure that those services do not in any way discriminate based on race, color, or national origin. The East Alabama Regional Planning and Development Commission provides fixed route public transportation services and will comply with the requirements in Chapter IV of FTA Circular 4702.1B.

#### (1) Vehicle Load

Vehicle load or load factor is a ratio of the number of seats on a vehicle and the number of passengers on a particular route during periods of peak travel. Load factors are used by transit systems to determine the extent of probable overcrowding or the need for additional vehicles. The ACTS fixed route is a 4-route system consisting of 25 passenger lift equipped mini-buses that are designed to seat 18 in seats and 2 in wheelchairs. Paratransit is served with 15 passenger modified vans that are lift equipped that are designed to accommodate with either 2 or 3 wheelchairs and are designed to seat 10-12 people. The vehicle load is as shown in the chart below. The number of passengers shown below on the vehicle each hour is the average for that

hour/route for the period of July 1, 2013 through July 13, 2013. The average vehicle load for all hours of operation is .66. EARPDC has never defined “peak times” for the fixed route program. But, the chart below indicates that there are obvious times when more passengers ride than other times. Early morning and late afternoons indicate lower average passengers per hour. So as not to allow for this to skew the vehicle load, a loosely defined peak time is from 10:00 am until 2:00 pm. This does not affect fares or any other aspect of operations but is used for the purposes of this document. During peak times of 10:00 am till 2:00 pm, the average vehicle load is .8 for the fixed route. Paratransit vehicle load is .33. At this time, larger vehicles are not necessary.

Hour <sup>1</sup>	North <sup>2</sup>	East	West	South
7:00	7	10	10	7
8:00	16	16	13	12
9:00	15	19	14	12
10:00	12	14	17	13
11:00	13	15	16	13
12:00	15	14	17	13
1:00	14	14	16	14
2:00	13	17	14	13
3:00	14	11	13	11
4:00	9	8	10	8
5:00	5	4	7	5
Average <sup>3</sup>	12	13	13	11
Ratio	0.7	0.7	0.7	0.6

North Route: average of 12 persons on the vehicle (13 during peak times)

South Route: average of 13 persons on the vehicle (13 during peak times)

East Route: average of 13 persons on the vehicle (15 during peak times)

West Route: average of 11 persons on the vehicle (16 during peak times)

Type	Average Passenger Capacity			
	Seated	Standees	Total	Max Load Factor
25 Passenger Mini Bus	12	0	12	.66
15 Passenger MV with Lift	3	0	3	.33

## (2) Vehicle Headways

The ACTS operates 4 routes 7:00 am until 6:00 pm Monday through Friday and 10:00 am until 5:00 pm on Saturdays. All routes are based on a 1-hour headway from any one point until such time as the vehicle for that route returns to that point. Future scheduling of headways would be

<sup>1</sup> The transit program operates 7am-6pm Monday through Friday and 10am-5pm on Saturday.

<sup>2</sup> The number in this column represents the average number of boardings in the hour for each route.

<sup>3</sup> The Average is derived from totaling the average number of boardings for the route over the 11 days of data collection.

contingent upon public demand for more frequent headways, local government fiscal support, and fleet capacity increases over time.

(3) One-time Performance Standards

A vehicle is considered on-time if it departs a scheduled point along the route no more than 5 minutes early and no more than 10 minutes late. The ACTS on-time performance objective is 90% or greater. Transit staff of the EARPDC, as well as personnel of the transit contractor, continuously monitor on-time performance and shall report no less than annually to the Transit Advisory Board.

(4) Service availability for Each Mode

The ACTS distributes its fixed route to best serve those in Anniston, Oxford, Weaver and Hobson City. Of the total population distribution, 95.3% of those living within a ¾ mile corridor around the fixed route are minority in Anniston and Hobson City. The northern most end of the route is available to 64.1% of Weaver residents within ¾ mile of the route. The route is only in the City for 1.3 miles. The route serving Oxford serves a public housing complex in Anniston, the Town of Hobson City, a major apartment complex, Center of Hope Thrift Store, Oxford Mall, Walmart, and a senior citizens apartment building. Because Oxford is very much an East to West city, with few cross Interstate roads, the route in Oxford is more of a destination route than one of trip origination. The percentage of minority residents within a ¾ mile corridor of the fixed route is 80.8% as compared to 56.3% of total population of the Cities of Anniston, Oxford, Weaver, and Hobson City. During the time period of July 1, 2013 through July 13, 2013, there were 3,698 trips on the fixed route vehicles. 3,002 were African-American passengers, 650 were Caucasian, 22 were Hispanic, and 24 were Asian. The percentage of minority persons boarding the fixed route during the sample time period was 82.4%.

Paratransit Services encompass the municipal limits of Anniston, Oxford, Weaver, Hobson City and Jacksonville—which has a fixed route provided by Jacksonville State University and not directly associated with EARPDC.

Effective Practices to Fulfill Service Policy Requirements

(1) Distribution of Transit Amenities

All routes are served by all vehicles. No vehicle is assigned to a route exclusively. All vehicles are essentially the same with the exception of any additional standard features on newer vehicles as bid by the State of Alabama (CD player vs. cassette tape deck or the inclusion of a cup holder for the driver). Options do not vary beyond the ADA package, flat flooring, and upgrade of the driver's seat. Paratransit vehicles are also all essentially the same, with no one vehicle being purchased with extra amenities such as executive seating. All vehicles are used in all of the service area. No vehicle is assigned to a particular part of the city or county. This applies to the demand response public transportation in the urbanized unincorporated areas of Calhoun County.

Passenger shelters have been placed to best serve low income and minority population areas of Anniston. One shelter is placed at the Mental Health Center which is across the street from the Tyler Medical Center and is less than 2 blocks from the Social Security Office. One shelter is on McClellan (formally Fort McClellan Army Base), placed for students attending the remote campuses of Jacksonville State University, Gadsden State Community College, and “Success Academy” – a program for juveniles court ordered to attend the program. One shelter is at the City’s central park, which is across the street from the Justice Center and one block from City Hall. One shelter is on a corner serving 2 routes and across the street from a grocery store in a predominately minority neighborhood. All other shelters are at public housing complexes in Anniston and Hobson City, Alabama.

### Land Acquisition/Construction

The EARPDC have no construction projects scheduled. In the event that the EARPDC decides to acquire land and/or construct facilities the EARPDC shall not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any transit federally funded program based on the grounds of race, color, or national origin. The EARPDC shall comply with all federal requirements including 49 CFR part 21 and FTA Circular 4702.1B and all subsequent provisions.

A copy of the Title VI Construction Project Analysis can be found as Attachment 1.

### (2) Vehicle Assignments

All fixed route vehicles are used on all routes. All vans used in ADA Paratransit and Demand Response public transportation are used interchangeably without regard to any one area. A passenger will, over the course of a given time period, ride on every vehicle in the fleet for the mode of transportation he/she takes (all fixed route buses if utilizing the fixed route or all vans if utilizing Paratransit or Demand Response public transportation).

### Transit Amenities Policy

Installation of amenities shall be based on ridership boarding at locations along the route.

### Retaliation

Retaliation is prohibited under Title VI of the Civil Rights Act of 1964 and related federal and state nondiscrimination authorities. It is the policy of the ACTS and EARPDC that persons filing a complaint of discrimination should have the right to do so without interference, intimidation, coercion, or fear of reprisal. Anyone who feels he/she has been subjected to retaliation should report such an incident to the Title VI Coordinator.

## Limited English Proficiency Plan (LEP)

Title VI of the Civil Rights Act of 1964 prohibits recipients of federal financial assistance from discriminating against or otherwise excluding individuals on the basis of race, color, or national origin in any of their activities. It has been recognized that one form of discrimination occurs through an inability to communicate due to a limited proficiency in the English language. Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directions from the U. S. Department of Justice (DOJ) and U.S. Department of Transportation (USDOT) require federal aid recipients to take reasonable steps to ensure meaningful access to programs, services, and activities by those who do not speak English proficiently.

To determine the extent to which Limited English Proficient (LEP) services are required and in which languages, the law requires the analysis of four factors:

1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter the ACTS programs, activities or services.
  2. The frequency with which LEP individuals come in contact with these programs, activities or services.
  3. The nature and importance of the programs, activities, or services provided by the ACTS to the LEP population.
  4. The resources available and the overall cost to EARPDC and the ACTS to provide LEP assistance.
1. The number or proportion of LEP persons in the service area who may be served or are likely to encounter the ACTS programs, activities or services.

The transit staff of EARPDC reviewed Census population demographic data. The Department of Justice defines the Safe Harbor threshold as 1,000 persons or 5% of the total population whichever is less, for vital document translation. Therefore, if there is an LEP population of more than 1,000 persons in Anniston, Oxford, Weaver, and Hobson City, EARPDC should translate its vital documents to this LEP group. The service area of the ACTS encompasses, at a minimum, a ¾ mile corridor around the fixed route—up to municipal limits. The ACTS ADA Paratransit service extends to the municipal limits. Census data/demographic data is not available for the corridor exclusively. The chart below indicates total estimations of those who speak English less than very well for the listed cities using US Census factfinder table B161001. The majority of those who speak English less than very well speak Spanish as their primary language—79.7%. German was the second largest at 7.3%; Korean was third at 4.8%; Chinese was fourth at 2.9%; Japanese was fifth at 1.3%; and Tagalog was sixth at .9%.

City	Population	Number who speak English less than very well	Percentage of Total	Top Non-English Languages Spoken
Anniston	21,696	467	2.15%	Spanish, German, Japanese, Korean, Tagalog, Arabic
Hobson City	725	3	.41%	Spanish
Oxford	19,438	494	2.54%	Spanish, German, Korean, Tagalog
Weaver	2,870	35	1.22%	Spanish, Japanese
Total	44,729	999	2.23%	

2. The frequency with which LEP individuals come in contact with these programs, activities or services.

The transit staff assessed the frequency with which staff and drivers have, or could have, contact with LEP person. This includes phone inquiries and bus driver surveys. Staff and bus drivers have reported that, as a whole, there is contact with 2 or less persons per month who have or seem to have limited English proficiency.

3. The nature and importance of the programs, activities, or services provided by the ACTS to the LEP population.

Public transportation is vital to many people’s lives. According to the Department of Transportation’s Policy Guidance Concerning Recipient’s Responsibilities to Limited English Proficient (LEP) Persons, “*Providing public transportation access to LEP persons is crucial. An LEP person’s inability to utilize effectively public transportation may adversely affect his or her ability to obtain health care, or education, or access to employment.*”

Our transit system considers transit to be an important and essential service for many people living in our service area. The ACTS fixed route has a ridership of over 115,000 people annually. Our passengers range from all ages pre-kindergarten to over 65 years of age. Our riders use the transit system to go to hospitals/clinics, retail stores, work, restaurants, etc. The ACTS transit system is a needed service to those who have immigrated to our country and may have limited English speaking skills.

4. The resources available and the overall cost to EARPDC and the ACTS to provide LEP assistance.

This agency currently has no budget line or dedicated funding to support a language assistance plan or the translation of documents into Spanish. Translation/interpreter services will be provided by a JSU Professor who has generously agreed to be a contact for transit riders who speak Spanish and need assistance with the transit program, especially its complaint procedures

and form. A local citizen has also been contacted and has offered her services for basic translation between those speaking Spanish and staff of ACTS and/or its transit contractor. Beyond the offered assistance of the aforementioned, the ACTS does not have financial resources to hire a bilingual staff person. At this time, contact with LEP persons is so very limited, cost are prohibitive for any expanded LEP assistance.

### LEP Plan Outline

EARPDC will develop several options to be available to assist LEP individuals to utilize transportation services. These options include:

- Provide referrals to translator services upon request.
- Continue to monitor LEP person and reevaluate the LEP plan as the population changes.

### Language Assistance Measures

Although there is a very low percentage of LEP individuals in the ACTS service area, EARPDC will ensure that the following measure are in place:

- The ACTS Title VI Policy and LEP Plan will be posted on the agency website, [www.earpdc.org](http://www.earpdc.org)
- When an interpreter is needed, in person or on the telephone, staff will attempt to determine what language is required and then access language assistance services.

### Translation of Documents

The EARPDC's ACTS transit program weighed the costs and benefits of translating documents for potential LEP groups, considering the expense of translating the documents, the barriers to meaningful translation or interpretation of busing information, the likelihood of frequent changes in documents, the existence of multiple dialects within a single language group, the apparent literacy rate in a LEP group and other relevant factors. At this time it is an unnecessary burden to have any documents translated.

Due to the very small local LEP population, ACTS Transit does not currently have a formal outreach procedure in place. However, when and if the need arises for LEP outreach, the transit program will consider the following options:

When staff prepares a document, or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

Bus schedules, maps, and other transit publications will be made available in an alternative language when and if a specific and concentrated LEP population is identified and requests made.

### Staff Training

The following training will be provided to EARPDC transit staff and to employees of any transit contractors:

- Information on the EARPDC Title VI Procedures and LEP responsibilities
- Description of language assistance services offered to the public
- Documentation of language assistance requests
- How to handle a potential Title VI/LEP complaint

### Information Dissemination

The ACTS shall use various media methods to disseminate the Title VI notification and policy. A notice shall be on every transit vehicle. A copy shall be placed on the public information board along side route maps at the train station (transfer station). The policy shall be on the EARPDC website. A brochure with the policy shall be available and placed in the lobby of the EARPDC offices. As discussed in the Public Participation Plan, transit meetings are open to the public, unless otherwise closed to the public due to executive session or possible breach of HIPPA laws (such as the review of Paratransit Applications).

### Public Participation Plan

EARPDC is also host to the Metropolitan Planning Organization (MPO). The MPO has its own Public Participation Plan. The ACTS has developed its own Public Involvement Plan, complementary to the Title VI Policy and stand alone from the MPO's Public Participation Plan. These documents serve to encourage public participation in the planning process and spending of federal funds. The ACTS Public Involvement Plan can be viewed on the EARPDC website and can be requested in print form by contacting EARPDC at 256-237-6741, sending a written request to: Shane Christian, Project Administrator or Kenny Bentley, Project Assistant P. O. Box 2186 Anniston, AL 36202, or emailing [shane.christian@earpdc.org](mailto:shane.christian@earpdc.org) or [kenneth.bentley@earpdc.org](mailto:kenneth.bentley@earpdc.org)

### Board Meeting Resolutions of Approved Title VI Program

The East Alabama Regional Planning and Development Commission's Board of Directors approved the Title VI program on May 28, 2014. A copy of the authorizing resolution is attached.

**ALABAMA DEPARTMENT OF TRANSPORTATION**  
**TITLE VI CONSTRUCTION PROJECT ANALYSIS**

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Name of Agency: \_\_\_\_\_  
Contact Person: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City/State/Zip Code: \_\_\_\_\_  
Contact Person: \_\_\_\_\_ Title \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_

1. Describe the low-income and minority populations within the area affected by the construction project and the method used to identify these populations.

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2. Describe the adverse effects of the project both during and after construction that would affect the identified minority and low-income populations and minority-owned businesses.

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3. Provide a detailed list of all minority-owned businesses and households that will be affected by the construction project.

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4. Describe the potential negative environmental impact, such as noise, air, or water pollution.

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5. Describe the relocation program and/or other measures adopted by the subrecipient that will be used to mitigate any identified adverse social, economic, or environmental effect of the proposed construction project.

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6. For each of the identified low income or minority communities, discuss the positive effects such as an improvement in transit service, mobility, or accessibility.

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7. Describe all mitigation and environment enhancement actions incorporated into the project to address the adverse effects, including any special features of the relocation program that go beyond the requirements of the Uniform Relocation Act and address adverse community effects such as separation or cohesion issues, and replacement of community resources destroyed by the project.

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8. Describe the remaining effects, if any, and why further mitigation is not proposed.

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9. For projects that traverse predominantly minority and low-income and predominantly non-minority and non-low-income areas, provide a comparison of mitigation and environmental enhancement actions that affect predominantly low-income and minority areas with mitigation implemented in predominantly non-minority or non-low-income areas. If there is no basis for such a comparison, describe why that is so.

**Resolution No. 4769**

**WHEREAS**, the East Alabama Regional Planning and Development Commission is a recipient of federal financial assistance from the Alabama Department of Transportation in support of transit services which imposes certain obligations upon the recipient, including complying with the Title VI federal requirements.

**WHEREAS**, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance; and

**WHEREAS**, the East Alabama Regional Planning and Development Commission commits to assure that no person shall, on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination under any program or activity regardless of the funding source.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the East Alabama Regional Planning and Development Commission as follows:

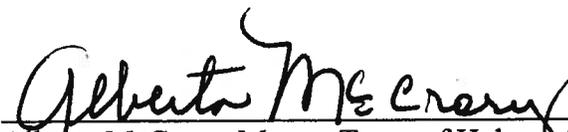
The Board of Directors approves the proposed Title VI Policy Statement/Limited English Proficiency Plan in order to comply with the Title VI federal requirements.

The ACTS Project Administrator, in his/her capacity, will serve as the Title VI Officer and is authorized to revise and update the plan as necessary.

Passed and adopted this 28<sup>th</sup> day of May, 2014.

  
Ryan Robertson, Probate Judge, Cleburne Co.  
Chairman

**ATTEST:**

  
Alberta McCrory, Mayor, Town of Hobson City  
Secretary